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SUBJECT: UGANDA: ANTI-HOMOSEXUALITY BILL REMAINS UNCHANGED, NOT
LIKELY TO BE DEBATED IN PARLIAMENT UNTIL MARCH

REF: KAMPALA 01344; KAMPALA 01381

¶1. (SBU) Summary: On December 10, Member of Parliament and sponsor of Uganda's anti-homosexuality bill David Bahati said a Bloomberg newswire report misquoted Ethics Minister Nsaba Buturo and that provisions on the death penalty and life imprisonment for homosexuals remain in the bill. A separate but apparently equally erroneous December 10 local newspaper article claimed that the Inter-Religious Council of Uganda (IRCU) endorsed the bill. An IRCU official told the Mission that the IRCU has yet to formulate a position on the legislation. The IRCU receives PEPFAR funding, and given the popularity of the bill in Uganda, it will likely emerge in the weeks ahead that the leaders of some organizations that directly or indirectly receive USG funding support the legislation. For example, two faculty members at a Ugandan university about to receive \$1.5 million in USAID central funding recently spoke out publicly in favor of the bill, albeit in their personal capacities. Contacts continue to report that Parliament's Legal and Parliamentary Affairs Committee will likely not open public hearings on the bill until perhaps March 2010 at the earliest. End Summary.

Anti-Homosexuality Bill Unchanged

¶2. (SBU) Bahati told the U.S. Mission on December 11 that a Bloomberg newswire report stating that Ethics Minister Nsaba Buturo had agreed to remove provisions on the death penalty and life imprisonment from Bahati's anti-homosexuality bill was in error. Bahati said the report misquoted Buturo and that Buturo never mentioned removing these provisions. Bahati said he is following international coverage of the bill on the internet, and that all aspects of the bill will be reviewed publicly by Parliament's Legal and Parliamentary Affairs Committee. Bahati added that he has asked Buturo to refrain from commenting on the bill as the legislation is sponsored by Bahati and not the Government of Uganda.

¶3. (SBU) On December 9, the only human rights lawyer in Uganda courageous enough to legally defend Ugandan homosexuals told the Mission that he does not believe the Legal and Parliamentary Affairs Committee will open debate on the bill until March 2010 at the earliest (septel). The lawyer noted that the bill now in Parliament is actually a moderated version of an even more offensive first draft that mysteriously disappeared on the way to the government printing office. He observed that the Legal and

Parliamentary Affairs Committee has much more important legislation to consider - such as critical electoral reforms that must be passed by the end of February - and that the anti-homosexuality legislation will likely remain stationary for at least several months. Along similar lines,

on December 11, the Chairman of the Legal and Parliamentary Affairs Committee told PolOff that there is still no movement on the bill and that his Committee has more important issues to consider (ref. A). The Chairman noted, however, that he has been travelling within the region - he is currently in Kinshasa - and therefore not up-to-date on events in Kampala.

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Local Groups Pro-Anti-Homosexuality
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14. (SBU) A second and apparently equally erroneous press report appeared on December 10 in the local Daily Monitor newspaper. The Monitor reported that after a three-day conference, the Inter-Religious Council of Uganda (IRCU) endorsed the bill and

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called on the Ugandan government to refuse international aid from countries opposed to criminalizing homosexuality. IRCU Secretary General, Joshua Kitakule, told the Mission on December 10 that the Monitor article was inaccurate and that quotations attributed to him regarding the need to criminalize homosexuality and reject donor funding were actually articulated by Bahati. Kitakule said the IRCU has yet to articulate a position on the anti-homosexuality legislation.

15. (SBU) More than 200 local religious leaders belong to the IRCU, and USAID has a contract with ICRU funded by PEPFAR for HIV/AIDS counseling, testing, and prevention. IRCU has about 50 faith-based sub-partners, and it is possible that the leaders of some of these organizations have come out in support of this bill. Pastor Martin Ssempe's Campus Alliance to Wipe Out AIDS is one of these sub-contractors, carrying out abstinence work among students at Makerere University with IRCU PEPFAR funds. Ssempe is one of the most vocal proponents of the anti-homosexuality legislation (ref. B).

16. (SBU) Two faculty members employed by Ugandan Christian University (UCU) have publicly endorsed the anti-homosexuality bill. UCU is slated to receive a \$1.5m USAID/DCHA ASHA grant for the construction of a new library. UCU Vice Chancellor, Amcit Professor Rev. Stephen Noll, told the Mission on December 9 that the statements of UCU faculty member, Rev. Canon Michael Okwii Essakan, who a local newspaper quoted as stating that not even "cockroaches" engage in homosexuality, "in no way represent the position of the University." Noll said he communicated to Essakan that "in my opinion his reference to homosexuality was inappropriate... and his example of cockroaches was reprehensible." However, Noll has yet to publically distance the University from Essakan's comments or a November 24 newspaper column endorsing the bill by another UCU faculty member, Reverend Dr. Fred Mwesigwa.
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